

The Gazette of India

EXTRAORDINARY
PART II—Section 2
PUBLISHED BY AUTHORITY

No. 5] NEW DELHI, FRIDAY, MARCH 4, 1955

LOK SABHA

The following Bills were introduced in the Lok Sabha on 4th March, 1955:—

BILL No. 1 OF 1955

A Bill further to amend the Mines Act, 1952.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Mines (Amendment) Bill, 19

2. Amendment of section 33, Act XXXV of 1952.—In section 33 of the Mines Act, 1952 (hereinafter referred to as the said Act) in sub-section (1) of section 33, the words “if he works below ground, and at one and a half times that rate if he works above ground” shall be omitted.

3. Amendment of section 51, Act XXXV of 1952.—In section 51 of the said Act, for sub-section (1) the following shall be substituted, namely:—

“(1) Every person employed in a mine who has completed a period of twelve months’ continuous service therein shall be allowed, during the subsequent period of twelve months, thirty days’ leave with full pay or wages based on the average pay or wages for the twelve months immediately preceding the leave, as provided in section 52.”

STATEMENT OF OBJECTS AND REASONS

Work in the mines is very hazardous and dangerous. The workers are very often exposed to accidents, causing loss of limbs. Therefore, it is necessary that adequate leave should be given to mine workers for recuperation and recreation. Amendment to section 51 of the Mines Act, 1952 suggested in the Bill seeks to provide adequate leave to these mine workers.

Amendment to Section 33 of the Mines Act, 1952 seeks to bring the overtime wages paid to mine workers on a par with what is provided to other workers under the Factories Act, 1948 (LXIII of 1948).

T. B. VITTAL RAO.

BILL No. 2 OF 1955

A Bill further to amend the Industrial Disputes Act, 1947.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Industrial Disputes (Amendment) Act, 19 .

2. **Insertion of new Chapter VAA, Act XIV of 1947.**—After Chapter VA, of the Industrial Disputes Act, 1947 the following new Chapter shall be inserted, namely:—

“CHAPTER VAA

GRATUITY AND RETIREMENT BENEFIT

25K. *Right of workmen for Gratuity and Retirement Benefit.*—Whenever a workman whose name is on the muster rolls of an industrial establishment retires or is forced to retire on reaching the age of superannuation or quits or is forced to quit the service on the ground of continued ill-health, he shall be paid by the employer gratuity or retirement benefits which shall be equivalent to one month's average pay for every completed year of service or any part thereof in excess of six months:

Provided that nothing in this section shall affect the right of any workman to better terms of gratuity or retirement benefits under any award for the time being in operation or any contract with the employer.”

STATEMENT OF OBJECTS AND REASONS

This Bill seeks further to amend the Industrial Disputes Act, 1947, by inserting a new Chapter VAA. The Industrial Disputes Act, 1947 as amended in 1953 does not deal with the right of workers for gratuity and retirement benefits when they are forced to retire and quit the service due to their reaching the age of superannuation or due to ill-health.

This amendment seeks to remedy the situation.

T. B. VITTAL RAO.

M. N. KAUL,
Secretary.